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09/608,276	06/30/2000	Jin Yu (Gene) Ma	2705-109	9660

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EXAMINER	
PHAN, MAN U	
ART UNIT	**PAPER NUMBER**
2665	7

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/608,276	Applicant(s) MA ET AL.	
	Examiner Man Phan	Art Unit 2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *3 and 10* is/are allowed.

6)☒ Claim(s) *1,2,4-9,11 and 13* is/are rejected.

7)☒ Claim(s) *12* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment and Argument

1. This communication is in response to applicant's 03/04/2004 Amendment in the application of Ma et al. for a "ITU H.450.1 based ITU H.323 SCP method and apparatus" filed 06/30/2000. The proposed amendment to the claims and response have been entered and made of record. Claims 1, 3, 5, 6, 10 have been amended, and claims 11-13 have been added. Claims 1-13 are pending in the present application.

In view of applicant's amendment to amend the claims and the disclosure to obviate the objection, examiner has withdrawn the Objections of record.

The corrected or substitute drawing were received on Mar. 04, 2004. These drawing are accepted. Applicant is advised to submit new formal drawings including changes required by the proposed drawing correction filed on Mar. 04, 2004, which has been approved by the examiner.

2. Applicant's amendment and argument to the rejected claims are insufficient to distinguish the claimed invention from the cited prior arts or overcome the rejection of said claims under 35 U.S.C. 103 as discussed below. Applicant's argument with respect to the pending claims have been fully considered, but they are not persuasive for at least the following reasons.

3. Applicant's argument with respect to the rejected claims 1-2 and 4-9 (page 8, last paragraphs) that the cited references do not disclose or suggest "*of a SCP with a TCAP interface coupled to both a circuit switched network and a H.450 interface.* However, Sassin et al.

(US#6,449,260) teaches in Fig. 1 a block diagram illustrated an automatic call distribution (ACD) center, in which the ACD 52 is designed to be H.323 compatible. H.323 is a telecommunication standard that is designed to handle multimedia telephone calls including voice calls received on the PSTN (*circuit switched network*) or on an Internet Protocol (*IP*) network. ACD 52 interfaces with a computer interface gateway (CTI) 54 which operates to transfer calls between various system components under the direction of the ACD server 52. The CTI gateway 54 is accessed via a conventional CTI interface such as a CSTA, CSA, TAPI or JTAPI. (Col. 3, lines10 plus). It's well known that the voice connection is typically implemented using a voice connection through the PSTN, and the H.323 is a telecommunication standard that is designed to handle multimedia telephone calls including voice calls received on the PSTN or on an Internet Protocol network.. Typically, the ACD 52 can be interfaced to a PSTN through interfaces includes the interfaces at the protocol level for different protocols such as MGCP, SIP, TCAP, H.323 as well as protocols residing in the higher layers of the telecommunication protocol stack. The TCAP interface permits communications between external applications utilizing TCAP message to the appropriate one of the calling IP network terminal for the calling party information (Col. 4; lines 39 plus). Furthermore, Glitho et al. (US#6,614,784) teaches in Fig. 4 a schematic diagram illustrated of an integrated telecommunications network 402 having a Voice-over-IP (VoIP) portion (e.g., H.323 portion 102) and a circuit-switched network portion 404 (e.g, a cellular network portion or PSTN). One or more service nodes including at least a Service Control Point (SCP), for example, SCP service node 408, optimized for providing advanced services in the framework of Intelligent Network or Wireless Intelligent Network (IN/WIN) architecture, is associated with the network portion 404. The service node 408 is

connected to the H.323 core 102 via a path 413 which may include an appropriate protocol converter/interface and is preferably operable with Signaling System No. 7 (SS7) or IP. The interface (I/F), which may be co-located with the node 408 , is provided between the H.323 network portion 102 and the SCP service node 408 such that an H.323 entity, e.g., a gatekeeper or an endpoint can interrogate the service node 408) (TCAP interface) for instantiating a subscriber service. Additionally, the service node 408 may also be accessed via GW 108 in some implementations (See Figs 4-5; Col. 7, lines 56 plus and Col. 11, lines 24 plus).

Applicant further alleges that there is no suggestion in the cited reference of "utilizing an ITU H.225 facility message and an ITU H.450 application protocol data unit to carry one or more of call-related information (page 9, second paragraph). However, Sassin et al. (US#6,449,260) teaches in Figs. 2-4 the functional diagrams indicating how a telephone call is routed within the system if an ACD server within the ACD system is an H.323 end point, in which the ACD performs a routing step that determines if the call must be redirected, i.e., transferred or forwarded, depending upon the state of the H.225 call state between the gateway and the ACD server, to the music/video server 56 or IVR. In order to transfer the call to the music/video server (assuming the call was in an active state), the ACD sends the gateway a transfer command at a step 107 via an H.225 facility message. This message contains a facility-UUIE with a corresponding facility reason, if the H.450.2 standard is not implemented, or an H.225 facility message containing an H.450 call transfer initiate invoke APDU, if the H.450.2 standard is implemented. This message contains the address of the transferred to end point, i.e., the music/video server 56. As an alternative to transferring the call, the call can be forwarded, if no H.225 connect was set so far, via an H.225 facility message containing facility-UUIE with

corresponding facility reason (if the H.450.3 standard is not yet implemented) or an H.225 facility message containing H.450 call forwarding reroute invoke (if the H.450.3 standard is implemented). The gateway receives the transferred or forwarded call at a step 108 and answers by tearing down the H.225 /H.245 signaling connections with the ACD server (Col. 5, lines 7 plus). Glitho et al. (US#6,614,784) also discloses a system and method for provisioning Supplementary Services (SS) in an integrated telecommunications network, including VoIP networks. The Value-Added Services in H.323-based VoIP networks are known as Supplementary Services (SS) and the provisioning thereof is based on the principles set forth in the ITU's H.450.X Recommendations. The generic architecture is described in Recommendation H.450.1 while architectures for specific services are described in separate Recommendations, for example, H.450.2 Recommendation for call transfer and H.450.3 Recommendation for call diversion. Similarly, H.450.4 through H.450.7 Recommendation Series are underway for call hold, call park-call pickup, call waiting, and message indication, respectively and wherein signaling for the realization of the services is based on H.450.X messages encapsulated in H.225.0 signaling (Col. 2, lines 36 plus). Therefore, the Examiner maintains that the references cited and applied in the last office actions for the rejection of the claims are maintained in this office action.

Claim Rejections - 35 USC ' 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 4 recites the limitation "the public switched telephone network" (line 4). There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC ' 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 1038 and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-2 and 4-9, 11, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sassin et al. (US#6,449,260) in view of Glitho et al. (US#6,614,784).

With respect to claims 4-5 and 11, 13, both Glitho (US#6,614,784) and Sassin (US#6,449,260) disclose a novel method and system for supplementary services between an ITU H.323 endpoint and a SCP using the ITU H.450.1 interface, according to the essential features of the claims. Sassin discloses a networked call center system that is adapted to handle calls from customers via different media and to route the calls to a customer service agent. The system includes a gateway that receives telephone calls from the public switched telephone network and a gatekeeper that determines an address of a destination where the call should be routed. Calls from one H.323 device can be routed to another H.323 device by a third party application by sending a call control message to the device's application program interface that executes the message as if it were generated at the device itself (See Fig. 1, the Abstract and Col. 1, lines 66 plus). Sassin further teaches in Figs 2-4 functional block diagrams illustrated how a telephone call is routed within the system in the case the ACD is an H.323 end point, in which at a step 103, the gatekeeper translates the called party number (or one of a number of aliases) into a transport address, i.e., an IP address plus port number, for the ACD server 52 using the LADP database 84. The transport address is then returned to the gateway by means of an RAS ACF message. The transport address is then used at a step 104 to establish an H.225 reliable channel between the gateway 80 and the ACD server 52 through the gatekeeper 82. In order to transfer the call to the music/video server (assuming the call was in an active state), the ACD sends the gateway a transfer command at a step 107 via an H.225 facility message. This message contains a facility-UUIE with a corresponding facility reason, if the H.450.2 standard is not implemented,

or an H.225 facility message containing an H.450 call transfer initiate invoke APDU, if the H.450.2 standard is implemented. This message contains the address of the transferred to end point, i.e., the music/video server 56 (Col. 4, lines 60 plus).

In the same field of endeavor, Glitho discloses a method and system for provisioning supplementary services (SS) in a Integrated telecommunication network which includes VoIP networks operable with the H.450.1 (Col. 4; lines 13 plus). Glitho further teaches in Fig. 6 a flow chart illustrated the service provisioning method, in which when a service is invoked in a first entity (step 602), a service message is sent therefrom to an SCP service node (step 604). Responsive thereto, the service node operates by executing appropriate service logic (decision-making logic/SLPs) (step 606). A return result or response with respect to what action is to be taken is then received by the first entity from the service node (step 608), which then determines how to effectuate the service action on the basis of the return result. Thereafter, an appropriate H.450.X message is sent by the first entity to a second entity (for example, a re-routing or switching entity such as a GK), using the instruction/indication from the service node as a parameter (step 610). The second entity (re-routing/switching entity) subsequently takes an appropriate service action, for example, establishing a suitable connection or connections for effectuating the invoked service (Col. 9; lines 25 plus) . It's noted that the Standard H.450.1 is a Generic Functional Protocol for the support of supplementary services in H.323 (ITU T Recommendations, Feb. 1998, XP002214365). The Standard H.450.1 contains general definitions for the methods and signaling protocols for realizing additional supplementary service in the connection between what are referred to as H.323 devices; i.e., devices that work

according to the Standard H.323. The Standard H.405.1 thus forms the basis that are directed to individual supplementary services (Col. 2; lines 36 plus).

Regarding claims 1-2, they are method claims corresponding to the apparatus claims 4-5 above. Therefore, claims 1-2 are analyzed and rejected as previously discussed with respect to claims 4-5, 11, 13.

With respect to claims 6-9, these claims differ from claims Sassin in view of Glitho in that the claims recited a computer program product for performing the same basis of steps and apparatus of the prior arts as discussed in the rejection of claims 1-2 and 4-5 above. It would have been obvious to a person of ordinary skill in the art to implement a computer program product in Sassin in view of Glitho for performing the steps and apparatus as recited in the claims with the motivation being to provide the efficient enhancement to the supplementary services between an ITU H.323 endpoint and a SCP using the ITU H.450.1 interface, and easy to maintenance, upgrade.

One skilled in the art would have recognized the need for effectively and efficiently providing a method and system for supplementary services between an ITU H.323 endpoint and a SCP using the ITU H.450.1 interface, and would have applied Glitho's novel use of the supplementary services in VoIP networks operable with the H.450 recommendations into Sassin's Automatic Call Distribution system utilizes H.323 based VoIP networks. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Glitho's system and method for providing supplementing services (SS) in an integrated telecommunications network into Sassin's multimedia automatic call distribution

system with the motivation being to provide a method and system for supplementary services between an ITU H.323 endpoint and a SCP utilizes ITU-T H.450.1 interface.

Allowable Subject Matter

9. Claims 3 and 10 are allowable.

10. Claim 12 is objected to as being dependent upon the rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

11. The following is an examiner's statement of reasons for the indication of allowable subject matter: The closest prior art of record fails to disclose or suggest the steps wherein, in a case in which the AIN supplementary services are related to an existing ITU H.323 call, the ITU H.225 FACILITY message is a user-to-user information element (UUIE) including one or more of a setup-UUIE, a connect-UUIE and a release Complete-UUIE, as specifically recited in claims 3 and 10.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Creamer et al. (US# 6,731,732) discloses a method and apparatus for calendar based call control.

Zhang et al. (US# 6,661,785) discloses a method and apparatus for providing internet call waiting with VoIP.

Shaffer et al. (US# 6,700,901) discloses a system and method for digital telephone on H.323 networks..

Naudus (US# 6,105,068) discloses a method and apparatus for determining a protocol type on a network connection using error detection values stored within internetworking devices..

Carter et al. (US# 6,430,699) discloses a apparatus and methods for inband protocol correction in distributed object networking..

Ma (US# 2002/0018461) discloses an interception call signaling method and apparatus between a gatekeeper and an intelligent peripheral in a voice frame network.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION THIS ACTION IS MADE FINAL**. See MPEP ' 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Phan whose telephone number is (703)305-1029. The examiner can normally be reached on Mon - Fri from 6:30 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703)305-3988.
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Mphan

05/10/2004.

Man U. Phan

MAN PHAN
PATENT EXAMINER